

**IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

THOMAS SIERRA,)	
)	
<i>Plaintiff,</i>)	No. 18 C 3029
)	
<i>v.</i>)	Hon. John Z. Lee,
)	District Judge
)	
REYNALDO GUEVARA, <i>et al.</i> ,)	Hon. M. David Weisman,
)	Magistrate Judge
<i>Defendants.</i>)	

PARTIES' JOINT STATUS REPORT

Pursuant to the Court's order (Dkt. 272), the parties submit the following joint status report:

A. Current Deadlines/ Magistrate Referral

1. The deadline for fact discovery in this case is set for August 27, 2021. The parties have reached an agreement concerning Rule 404(b) witnesses, wherein depositions for those witnesses will be completed by October 29, 2021, irrespective of any other deadlines in the cases. No *Monell* deadline has been set, but the parties anticipate a separate *Monell* deadline will be set once fact discovery is complete. No deadlines for expert discovery or dispositive motions have been set. The parties are not requesting that this Court set expert discovery or dispositive motion deadlines at this time.

B. Progress of Discovery

2. Discovery is ongoing in this case. Since the parties last appeared for a status hearing in this case, the parties have continued to engage in written and oral discovery.

3. Since the last status, the parties have scheduled and completed several depositions of several people including five Defendants Mingey, McMurray, Figueroa, and Biebel.¹

4. Plaintiff's deposition was scheduled for July 1, 2021, but Defendants canceled it and the parties are working to reschedule. Additionally, Defendant Wojcik's deposition was scheduled for June 11, 2021, but Plaintiff canceled it and the parties are working to reschedule.

5. Regarding the deposition of third-party witness Alberto Rodriguez, the parties are still coordinating with Forest City Low FCI, where Mr. Rodriguez is an inmate. The parties intend to file a joint motion for rule to show cause this week, because Mr. Rodriguez is saying through prison personnel that he is refusing to sit for his deposition.

6. The deposition of Jose E. Melendez was previously scheduled for a deposition but was cancelled in light of the Plaintiff's pending motion for a protective order and the court's briefing schedule. As explained in more detail below, this order was recently entered.

7. The parties are working to schedule several third-party depositions.

¹ The depositions of both Defendants Mingey and Biebel were suspended during the course of the deposition and need to be rescheduled in order to complete.

8. The parties are additionally considering whether to schedule several other non-police personnel third-party witnesses.

9. The parties have agreed to mutually remove several previously disclosed witnesses.

C. Pending Motions

10. On July 6, 2021, Magistrate Judge Weisman entered an agreed protective order to prevent duplicative depositions of third-party witnesses in Guevara cases. Dkt. 294.

11. Plaintiff's Rule 72 objections regarding the production of *Klipfel* documents remain pending before the District Judge. Plaintiff recently filed a supplement to his objections. Dkt. 292. Defendant City of Chicago was recently granted leave to file a response in opposition to those supplemental objections within fourteen (14) days. Dkts. 295, 296.

12. The Cook County Public Defender's Office filed a motion to quash a subpoena issued to them by Plaintiff. Dkt. 287. Plaintiff's response in opposition is due July 19th. Dkt. 291.

D. Settlement Discussions

13. The parties have not engaged in settlement discussions at this time.

E. Telephonic Hearing

14. The parties do not seek a telephonic status hearing at this time.

Dated: July 12, 2021

Respectfully submitted,

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CERTIFICATE OF SERVICE

I, Sean Starr, an attorney, hereby certify that on July 12, 2021 I caused the foregoing Joint Status Report to be filed using the Court's CM/ECF system, thereby effectuating service on all counsel of record.

/s/ Sean Starr
Attorney for Plaintiff